Missouri State ICT Standards

# MISSOURI STATE INFORMATION COMMUNICATION TECHNOLOGY STANDARDS

From the Missouri Assistive Technology Inclusive Web Working Group

**Version:** 3.00

**Effective Date:** 09/13/2024

## Purpose

These standards are intended to advise Missouri agencies on the procedures necessary to ensure compliance with the provisions of RSMo 161.935 regarding development, procurement, maintenance or use of Information and Communication Technology (ICT), or when administering contracts or grants that include the procurement, development, or upgrading of Information and Communication Technology (ICT).

## Scope

Each State agency shall work diligently to assure compliance with the provisions of RSMo 161.935 through statewide implementation of ICT accessibility standards. These provisions will include the use of universal design or technology that results in greater accessibility & usability by individuals with disabilities. All impacted State information systems, tools and information content (including any PDF or Word document, image, sound or multimedia, etc.), shall comply with the following, adopted as of the effective date of this directive: [Web Content Accessibility Guidelines (WCAG) 2.1 level A, AA](https://www.w3.org/WAI/WCAG22/quickref/?currentsidebar=%23col_customize&versions=2.1&levels=aaa) compliance and Section 508.

## Background

RSMo 161-900 to 161-945 and 161-935 requires that the Missouri Assistive Technology Council work with the Information Technology Services Division to adopt accessibility standards to be used by each State department or agency in the procurement of ICT, and in the development and implementation of custom-designed ICT systems, web sites and other emerging ICT systems. When developing, procuring, maintaining or using ICT, or when administering contracts or grants that include the procurement, development, or upgrading of ICT, each State department or agency shall ensure, unless an undue burden would be imposed on the department or agency, that the ICT allows employees, program participants and members of the general public with disabilities to have access to and use of information and data that is comparable to the access by individuals without disabilities.

## Standards Statement

All impacted State information systems, tools and information content shall comply with the following, subparts of the ICT standards:

* Web Content Accessibility Guidelines (WCAG) 2.1 level A, AA . Level AAA compliance is encouraged.
* Section 508 Update, as qualified, below.

## Standards, Amplified

### WCAG 2.1

The Web Content Accessibility Guidelines (WCAG) have been developed by the Web Accessibility Initiative (WAI) of the Worldwide Web Consortium (WC3), which develops strategies, guidelines and resources to help make the Web accessible to people with disabilities. WCAG 2.1 covers a wide range of recommendations for making Web content more accessible. Following these guidelines will make content more accessible to a wider range of people with disabilities, including accommodations for blindness and low vision, deafness and hearing loss, limited movement, speech disabilities, photosensitivity, and combinations of these, and some accommodation for learning disabilities and cognitive limitations; but will not address every user need for people with these disabilities. Following these guidelines will also often make Web content more usable to users in general. All impacted State information systems, tools and information content shall comply with the following:

* WCAG 2.1
  + [Level A and AA](https://www.w3.org/WAI/WCAG22/quickref/?currentsidebar=%23col_customize&versions=2.1&levels=aaa) compliance is required.
  + You may include [Level AAA](https://www.w3.org/WAI/WCAG22/quickref/?currentsidebar=%23col_customize&versions=2.1&levels=aaa) components in areas that increase access to information.

There are situations where applying Level AAA will result in greater accessibility & usability by individuals with disabilities over a Level AA. Agency judgment is recommended to determine what is best to meet the needs of access to your Web content.

* Any and all electronic content that both public facing and not public facing shall conform to the WCAG 2.1 accessibility guidelines of P.O.U.R.:

**Perceivable**

* **Provide**[**text alternatives**](http://www.w3.org/WAI/WCAG20/quickref/#text-equiv)**for non-text content.**
* **Provide captions and other alternatives for multimedia.**
* **Create content that can be**[**presented in different ways**](http://www.w3.org/WAI/WCAG20/quickref/#content-structure-separation)**,  
  including by assistive technologies, without losing meaning.**
* **Make it easier for users to**[**see and hear content**](http://www.w3.org/WAI/WCAG20/quickref/#visual-audio-contrast)**.**

**Operable**

* **Make all functionality available from a**[**keyboard**](http://www.w3.org/WAI/WCAG20/quickref/#keyboard-operation)**.**
* **Give users**[**enough time**](http://www.w3.org/WAI/WCAG20/quickref/#time-limits)**to read and use content.**
* **Do not use content that causes**[**seizures**](http://www.w3.org/WAI/WCAG20/quickref/#seizure)**.**
* **Help users**[**navigate and find content**](http://www.w3.org/WAI/WCAG20/quickref/#navigation-mechanisms)**.**

**Understandable**

* **Make text**[**readable and understandable**](http://www.w3.org/WAI/WCAG20/quickref/#meaning)**.**
* **Make content appear and operate in**[**predictable**](http://www.w3.org/WAI/WCAG20/quickref/#consistent-behavior)**ways.**
* **Help users**[**avoid and correct mistakes**](http://www.w3.org/WAI/WCAG20/quickref/#minimize-error)**.**

**Robust**

* **Maximize**[**compatibility**](http://www.w3.org/WAI/WCAG20/quickref/#ensure-compat)**with current and future user tools.**

### WCAG 2.1 vs. WCAG 2.0

The [WCAG 2.1 A, AA](https://www.w3.org/WAI/WCAG22/quickref/?currentsidebar=%23col_customize&versions=2.1&levels=aaa) standards applies to all information technology acquired, procured, developed,

modified or enhanced after the effective date of this document, including software available without cost. WCAG 2.1 builds on and is backwards compatible with WCAG 2.0, meaning web pages that conform to WCAG 2.1 also conform to WCAG 2.0.

[WCAG 2.0 A, AA](https://www.w3.org/WAI/WCAG22/quickref/?currentsidebar=%23col_customize&versions=2.0&levels=aaa) (which became a state standard effective 12/8/17) will continue to apply to any existing ICT not modified or enhanced on or after 09/13/2024, and shall not be required to be modified to conform to this standards.

This standards does not apply to external web pages outside of the editorial control of the State of Missouri. Links to external websites should be clearly marked in such a way that it is clear before clicking the link that the destination is not maintained by the State of Missouri.

### Information Communication Technology Standards

In 1998, Congress amended the Rehabilitation Act of 1973 to require Federal agencies to make their electronic and information technology (EIT) accessible to people with disabilities. Inaccessible technology interferes with an ability to obtain and use information quickly and easily. Section 508 was enacted to eliminate barriers in information technology, open new opportunities for people with disabilities and encourage development of technologies that will help achieve these goals. All impacted State information systems, tools and information content shall comply with the following Subparts of the ICT Standards:

* Section 508 and 255 Subparts:
* [Appendix A to Part 1194 – Section 508 of the Rehabilitation Act: Application and Scoping Requirements](https://www.access-board.gov/ict/" \l "508-chapter-1-application-and-administration)
* [Appendix B to Part 1194 – Section 255 of the Communications Act: Application and Scoping Requirements](https://www.access-board.gov/ict/" \l "255ch1)
* [Appendix C to Part 1194 – Functional Performance Criteria and Technical Requirements](https://www.access-board.gov/ict/" \l "chapter-3-functional-performance-criteria)
* Should Section 508 be updated, the Missouri Standards automatically updates to the current Section 508.
  + [Current published version of WCAG](https://www.w3.org/WAI/WCAG22/quickref/)
* When a new WCAG recommendation is published, the effective date of that version will be two years from the W3C publication date.

## Compliance

Where a State information system, tool, app, or information content is not able to be brought into compliance, the agency is responsible for substantially equivalent ease of use or similar. This can include reasonable accomodations as necessary to address the disability-related access needs of employees and the public respectively.

## Equivalent Facilitation

Nothing in these standards is intended to prevent the use of designs or technologies as alternatives to those prescribed in these standards provided they result in substantially equivalent or greater access to and use of a product for people with disabilities.

Agencies may accept ICT offered by vendors, which uses designs or technologies that do not meet the applicable technical provisions, but provide substantially equivalent or greater access to and use of a product for people with disabilities. This is referred to as "equivalent facilitation."

Equivalent facilitation is not an exception or variance from the requirement to provide comparable access. Rather, it is recognition that technologies may be developed or used in ways not envisioned by the technical provisions of this document but still result in the same or better functional access. Functional outcome – not form – is the key to evaluating whether a technology results in "substantially equivalent or greater access."

Agencies shall ensure that all functionality of ICT is accessible to and usable by individuals with disabilities, either directly or by supporting the use of assistive technology. In providing access to all functionality of ICT, agencies ensure that any individual with a disability who is seeking information or data from a State department or agency have access to and use of information and data that is comparable to that provided that are not individuals with disabilities.

## Enforcement

Effective six months after the effective date of the Missouri information communication technology standards (3/13/25), any individual with a disability may file a complaint alleging that state department or agency fails to comply with RSMo 161.935. Each state department or agency shall identify a person, office, or entity to process complaints and shall make that information publicly available. The complaint process shall minimally include an investigation of the allegation, an attempt to resolve the complaint, and written communication regarding the findings and final decision or disposition of the complaint. If any actions were taken or will be taken to resolve the complaint, the written communication coming from the agency Director shall describe and provide a specific timeline for such actions. State departments and agencies are encouraged to establish an internal complaint process that gives divisions and units the opportunity to directly address the complaint first and also provides for a second appeal to another unit independent of the agency in question. Agencies are encouraged to develop and implement complaint processes that voluntarily resolve disputes over accessibility. If further assistance is required to consider all possible resolutions, contact the [state agency ADA coordinator](https://oa.mo.gov/ada-information).

## Exceptions

### Exceptions Related to Section 508

* Legacy ICT or Safe Harbor Clause
* National Security Systems
* Federal Contracts
* ICT Functions Located in Maintenance or Monitoring Spaces
* Undue Burden or Fundamental Alteration
* Basis for a Determination of Undue Burden
* Undue Burden - Required
* Undue Burden - Alternative Means
* Best Meets
* Best Meets - Required Documentation
* Best Meets - Alternative Means

[Detailed Explanation of 508 Exemptions](https://www.access-board.gov/ict/" \l "E202-general-exceptions)

### Exceptions Related to Title II

Missouri’s standards includes exceptions from the [Title II State and Local Government update](https://www.ada.gov/resources/2024-03-08-web-rule/) published in April 2024.

* Archived web content
* Preexisting conventional electronic documents
* Content posted by a third party where the third party is not posting due to contractual, licensing, or other arrangements with a public entity
* Individualized documents that are password-protected
* Preexisting social media posts

[Detailed explanation of Title II exceptions](https://www.ada.gov/resources/2024-03-08-web-rule/#summary-of-the-exceptions)

**5.0 Revision History**

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| **Date** | **Description of Change** |
| 01/29/2003 | Original Standards Published - Version 1.0 |
| 11/07/2003 | Removed Appendix A - Version 2.0 |
| 01/04/2008 | Revisions were made within Technical Standards in the areas of:  • Web-based Internet, Internet Information and  Applications  • Video and Multimedia Products |
| 1/18/2017 | Final Rule to Update the Section 508 Standards and Section 255 Guidelines |
| 10/2017 | Updated ICT Missouri Standards, working document created with an Inclusive Web Working Group between ITSD, MO Dept of Conservation and Missouri Assistive Technology Council. |
| 12/08/2017 | Updated ICT Missouri Standards unanimously approved by the Missouri Assistive Technology Council |
| 09/13/2024 | Updated ICT Missouri Standards, working document created with an Inclusive Web Working Group between ITSD, MO Dept of Higher Education and Missouri Assistive Technology Council. |

**Related Information**

* [United States Access Board](https://www.access-board.gov/ict/)
* [WCAG 2.1](https://www.w3.org/TR/WCAG21/)
* [ADA Title II Update](https://www.ada.gov/resources/2024-03-08-web-rule/)

**Inquiries**

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